

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

KIMBERLY M. WARTH,

Case No. 2:25-cv-00831-GMN-NJK

Petitioner,

ORDER

V.

NDOC WARDEN W. REUBART, et al.,

Respondents.

8 Petitioner Kimberly M. Warth has submitted a Petition for Writ of Habeas Corpus and
9 moved for the appointment of counsel. (ECF Nos. 1-1, 1-3.) However, Warth has not properly
10 commenced this action by either paying the standard \$5.00 filing fee or filing an Application for
11 Leave to Proceed *In Forma Pauperis* (“IFP”). Pursuant to 28 U.S.C. § 1914(a) and the Judicial
12 Conference Schedule of Fees, a \$5.00 filing fee is required to initiate a habeas action in a federal
13 district court. This Court may authorize an indigent prisoner to begin a habeas action without
14 paying the \$5 fee if he or she submits an IFP Application on the approved form and includes three
15 specific documents: (a) the prisoner’s financial declaration and acknowledgement showing an
16 inability to prepay fees and costs, (b) a financial certificate signed by the prisoner and an authorized
17 prison official,¹ and (c) a copy of the prisoner’s account statement for the six-month period prior
18 to filing. 28 U.S.C. § 1915(a); LSR 1-1, LSR 1-2. Warth has up to and including June 20, 2025,
19 to either pay the \$5 filing fee or file a complete IFP Application.

20 It is therefore Ordered that the initial screening of the Petition for Writ of Habeas Corpus
21 (ECF No. 1-1) is deferred until such time as Warth has fully complied with this Order.

¹ Warth has filed her financial certificate and need not file another one. (See ECF No. 1-2 at 3.)

1 It is further Ordered that on or before June 20, 2025, unless more time is requested and
2 approved, Warth must file an IFP Application on the approved form with the two remaining
3 supporting documents listed above or pay the \$5 filing fee. Warth's failure to comply with this
4 Order will result in the dismissal of this action without prejudice and without further advance
5 notice.

6 It is further Ordered that the Clerk of Court kindly send Warth one blank copy of the IFP
7 Application form for inmates along with instructions.

8 Dated: May 14, 2025

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Gloria M. Navarro, Judge
United States District Court

